

Application Serial No. 09/800,743

REMARKS

Claims 1-3, 8, 13, and 14 stand rejected under 35 U.S.C. 102(e) as being anticipated by Wu (USPN 6,665,301). In his "Response to Arguments" on page 12 of the present Office Action, the Examiner indicates that "Wu discloses setting up separate common independent virtual connections to connect the call. The virtual connection setup includes two edge network connections that connect a calling node and private nodes to a core public network and further include public network connections that connect the edge nodes of the core network together... These virtual connections are separate and independent connections as claimed."

Applicant disagrees with the Examiner's statement concerning the subject matter of Wu. The Examiner refers to column 4, lines 10-39 and Figure 1 of Wu in support of these positions. However, Wu is not concerned with a core network and an edge network and these terms are nowhere found in the Wu disclosure. The Examiner equates the core network with Wu's "virtual tunnel." However, the manner in which the virtual tunnel works is not described in sufficient detail to instruct the person skilled in the art in providing Applicant's claimed invention.

Nonetheless, to simplify prosecution and not as a concession of the applicability of Wu to the claimed invention, nor by way of creating any estoppel, Applicant has cancelled Claims 1-3, 8, 13, and 14 and replaces them with new Claims 26 and 27. Claims 4-7, 9, and 10 are also cancelled. Support for the claimed subject matter can be found in the specification as filed at least on pages 7 and 8.

The key problem addressed by the invention concerns quality of service (QoS) incurring on a mix of real time and non real time traffic. In the invention, the overall network is separated into two networks: the core network and the edge network. The MPCS sits at the boundary of the edge and core networks. The

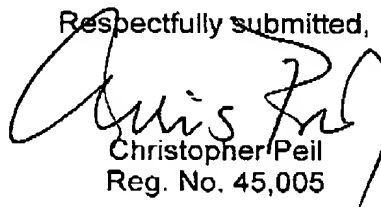
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edge network is networked between the end user device, e.g. a telephone, in the MPCS. The core network is a network between two more MPCSs. The core network is comprised of a set of virtual private networks(VPN). Each VPN has a particular quality (QoS), e.g. one VPN may have a high QoS for real time voice, another has a QoS for real time video, and another VPN has a low QoS for non-real time data.

New claim 26 is directed to the use of the MPLC protocol for reserving resources through an IP network for specific traffic. The combination of MPLC within an MPCS environment is unique. The specific architecture now claimed is not found in the art of the record and the application is therefore deemed to be in allowable condition.

Should the Examiner deem it helpful, he is encouraged to contact applicant's attorney, Michael A. Glenn at (650) 474-8400.

Respectfully submitted,



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